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# Congress of the United States

## House of Representatives

### COMMITTEE ON WAYS AND MEANS

WASHINGTON, DC 20515

#### SUBCOMMITTEE ON SOCIAL SECURITY

### **Securing Our Border with an Employment Verification System That Works**

### **Cosponsor HR 5515 – the “New Employee Verification Act”**

March 5, 2008

Dear Colleague,

Providing effective worksite enforcement – essential to securing our borders – will affect millions of workers and must be done right. As Members of Congress, we will be asked to choose the right system for our constituents. I ask that you please review the enclosed document, as answers to the following questions will help us make the right choice.

If you or your staff would like more information about the New Employee Verification Act (H.R. 5515) that is detailed in the attachment, please visit Ways and Means Republicans at: <http://republicans.waysandmeans.house.gov/>. Should you have any questions or wish to cosponsor this legislation, please contact Kim Hildred, from the Ways and Means Social Security Subcommittee by email or at 225-4021 or Kathleen Black from my personal office by email or at 225-4201.

Sincerely,

/s Sam Johnson  
Ranking Member  
Subcommittee on Social Security  
Committee on Ways and Means

Enclosure

*Sam Johnson, Ranking Member  
Committee on Ways and Means, Subcommittee on Social Security  
March 5, 2008*

	<b>Mandated E-Verify*</b>	<b>New Employee Verification Act (NEVA)</b>
<b>Protects U.S. Citizens?</b>	<b>NO</b> – citizens' personal & new job information would be checked by the Department of Homeland Security – a federal law enforcement agency.	<b>YES</b> – citizens' personal & new job information would be checked only by the Social Security Administration, an agency that already maintains this information for all workers.
<b>Prevents Identity Theft?</b>	<b>NO</b> – E-Verify is unable to detect document fraud and identity theft.	<b>YES</b> – establishes a new voluntary system whereby employers may access private sector experts – certified by the government – to verify the identity of the worker and safeguard their identity with cutting-edge biometric technology.
<b>Is Accurate?</b>	<b>NO</b> – E-Verify relies upon a database with approximately a 4 percent error rate, causing errors that could affect over 6 million workers.	<b>YES</b> – requires advance resources, accuracy standards, and annual reporting to Congress to ensure the system is efficient and protects individual privacy.
<b>Is Easy to Use?</b>	<b>NO</b> – E-Verify has enrolled less than 1% (60,000) of all employers and would need to launch a costly campaign in order to enroll thousands of new employers each day.	<b>YES</b> – builds upon the existing new hire reporting process used by 90% of employers and replaces the current paper-based, error-prone, I-9 process with a secure electronic verification system.
<b>Protects Employers?</b>	<b>NO</b> – Employers are vulnerable to sanctions through no fault of their own. Small businesses are limited in the methods of transmitting employee information to the E-Verify system.	<b>YES</b> – provides a "safe-harbor" from prosecution for employers who faithfully follow the law. Businesses would be allowed to transmit employee information using either an Internet or telephone connection.
<b>Supported by Employers?</b>	<b>NO</b> – Human Resource experts and other business groups do not support mandatory use of the E-Verify system due to system inaccuracies and liability laid upon employers.	<b>YES</b> - the H.R. Initiative for a Legal Workforce, representing thousands of H.R. professionals, strongly supports NEVA for its innovation, and for its employer and employee protections.

*E-Verify is a federal pilot employment verification system operated by the Department of Homeland Security and set to expire in November,*